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SUBJECT: USG HOSTED PIRACY MEETING WITH INTERNATIONAL INDUSTRY

REF: STATE 45331

¶1. This is an information cable.

SUMMARY

¶2. The U.S. Maritime Administration (MarAd) hosted a meeting of the maritime community, key international partners and the U.S. government on April 23. This meeting was a follow-up to previous reach-out sessions to engage the shipping community and interested local embassy staff to discuss piracy off the east coast of Africa. Representatives from the Department of Transportation (DOT) - including Secretary LaHood and MarAd, Navy, State, the Senate Committee on Commerce staff, and Coast Guard, in addition to industry and labor, were present. Also in attendance were representatives from the embassies of the Philippines, Portugal, Japan, Germany, and Denmark.

¶3. Acting Deputy Maritime Administrator, James Caponiti, led the discussion, with welcoming remarks from Secretary of Transportation Ray LaHood. The USG solicited industry's views over the current security situation in the region and best management practices (BMP), and called for increased cooperation and information sharing between industry and communication posts in the region. It was acknowledged that embarked security teams may be placed on US-flag vessels carrying USG cargo, but companies were encouraged to take their own preventative security measures. At the time of the meeting, no official USG position had been formulated on the use of on-board armed security forces.

¶4. NB: Since then, the USG has decided to endorse the following statement for discussions on the issue:

We recognize that in appropriate circumstances, on certain vessels determined to be at high risk, properly screened and certified third-party security providers with firearms, operating in compliance with applicable coastal, port and flag state laws, can be an effective deterrent to pirate attacks off the Horn of Africa.

The USG is examining the options of recommending, or possibly directing, U.S.-flagged vessels to use armed security teams while

transiting near Somalia. Some U.S.-flagged owners and operators have used armed security teams while transiting near Somalia and have found it to be an effective anti-piracy tool. END SUMMARY

Best Management Practices (BMP)

15. Mr. Caponiti expressed concern with a report from industry groups indicating that up to 30% of ship operators were either not receiving information about or implementing defensive measures in the region. Owners and operators were encouraged to take steps they see as necessary to protect their vessels and crews. The USG will play an active leadership role in the Contact Group on Piracy off the Coast of Somalia, with the next meeting of Working Group 1 (Military) held on May 7 and 8 in London. It was expressed that Working Group 3 (Industry Self-Awareness/Outreach, led by US) should consider further interface with WG 1 on matters of communication and coordination, and consider possible re-evaluation or updating industry's best management practices (BMPs). Companies and unions could both contribute lessons learned to develop recommendations on how best to react during the event of an attack. In the meantime, companies were again encouraged to review their security practices and capabilities in accordance with international and US Coast Guard requirements before entering the area.

Embarked Security Teams, Armed Protection

16. The U.S. Transportation Command met with carriers and labor on
STATE 00050709 002 OF 003

April 22 to discuss the use of embarked security teams (EST). Mr. Caponiti said the USG is "inclined to" place EST on any U.S. flagged ship in the region carrying USG cargo and that it may be necessary for companies to take measures to provide for their own protection, but reiterated later that this was still an ongoing discussion. There was no official USG recommendation on the use of EST or other armed on-board security at the meeting.

Security Situation Overview and Recommendations

17. David Pearl and Charlie Dragonette from the National Maritime Intelligence Center provided a briefing on the latest security developments off the Horn of Africa. Pirate attacks are occurring progressively farther from the coast, with the furthest confirmed report taking place 675 nautical miles off shore. Attacks are also taking place further south, with the furthest being about 500 nautical miles south of the Somalia-Kenya maritime border. The situation is being exacerbated by favorable (for the pirates) ocean currents and weather conditions this time of year. Pirates can ride currents for substantial distances out into shipping lanes.

18. There is no evidence that pirates are using Automated Identification Systems (AIS) to target specific vessels. Most vessels attacked will have at least commercial radar, and most will have AIS. It is conceivable that pirates might be able to use these tools to their advantage to target other ships, although to date they have demonstrated very rudimentary navigational knowledge and skills.

19. In protecting vessels in the region, USG is concerned primarily with their vulnerabilities. The most vulnerable vessels are "low and slow," which are easier for pirates to board. Before the Alabama attack "slow" was considered below 15 knots, however, Captain Phillips testified later that the ship was traveling at 18 knots at the time. Under such operating conditions, pirates would have to have developed increasing navigational skills. While much has been discussed in the press about the value of evasive maneuvers, the National Maritime Intelligence Center recommends only that vessels being pursued turn into oncoming weather. After that additional maneuvers decrease a vessel's speed and may make them more vulnerable.

Anti-Piracy Assistance Teams

¶10. MarAd, Navy's Criminal Investigative Service (NCIS) and the Transcom provide security assessments and recommendations during on-site visits to U.S.-flag vessels, at the request of a company. The assistance teams look for vulnerabilities, then debrief the ship's master and write a report for the company. When possible, the company's security and operations officers should be present, as well. Assistance teams also provide the most current BMPs and a checklist that allows companies to perform self-assessments. To date seven ship visits have been conducted, with positive response from industry. A maritime labor representative at the meeting suggested that this outreach be extended to union schools.

Enhanced Vessel Tracking

¶11. Lennis Fludd of MARAD and the Office of Global Maritime Situational Awareness (GMSA) said industry could help USG improve its capacity to develop further lead times for vessel tracking as another measure to prevent attacks. He asked industry to consider sharing with USG certain details including advance information on a vessel's schedule and position, cargo type, the presence of an on-board security team, in addition to basic data. Acknowledging the potentially sensitive nature of this information, he assured companies that it would not be shared with their competitors. While all of this information is already shared with the EU's Maritime Security Centre (Horn of Africa) [MSCHOA], USG needs this information from US-flagged vessels. He suggested it would likely be helpful for other governments to request the same information from their respective fleets. Since the meeting MARAD and the US Coast Guard have obtained additional information on this activity.

STATE 00050709 003 OF 003

¶12. Industry compliance on new Long Range Identification and Tracking (LRIT) requirements will help to improve tracking efficiency, as well. Companies have until the end of the year to comply with new requirements, but he urged them to become compliant as soon as possible. LRIT systems continue to broadcast a signal even when AIS is turned off, as is often the case during a pirate attack. Greater coordination between the US and EU on LRIT was called for by industry representatives. Since the meeting it has been recognized that the most significant challenge remaining with LRIT is the establishment of national and regional data centers for flag states. Note that the US data center is in operation and that the US has agreed to temporarily host the international data exchange.

On-Board Security Measures

¶13. Mr. Caponiti said that USG will not change its policy of refusing to negotiate ransoms with pirates. He repeated to industry representatives that the role of armed security forces on board vessels is still being deliberated internally and that a USG position on the issue for the Contact Group was being discussed.

¶14. Eric Ebeling of American Roll-On Roll-Off Carriers discussed security measures his company has taken, saying that training for officers and crew was essential. He recommended that vessels keep their fire hoses charged and have potential defensive tools such as scrap metal, barbed wire aprons, flares and long range acoustic devices (LRADs) ready for use when transiting the region. LRADs, he said, are particularly useful since they can be used to call for help as well as to temporarily disable attackers. His company's vessels now carry two LRADs on board its vessels operating in the region.

¶15. Questions or comments about issues raised during the meeting may be addressed to Greg Hall of the Maritime Administration (Greg.Hall@dot.gov). State Department contacts are Greg O'Brien (O'BrienGJ@state.gov) and Doris R. Haywood (haywooddr@state.gov).

